

Amendment No. 3 to SB1203

McNally
Signature of Sponsor

AMEND Senate Bill No. 1203*

House Bill No. 2085

by deleting the following language in Section 9:

Any such payments shall be deposited into the Rural Opportunity Fund to further support the state's economic development efforts.

and by substituting instead the following language:

Any such payments shall be deposited into the general fund or the Rural Opportunity Fund as provided in Section 10.

AND FURTHER AMEND by redesignating Section 10(b) as Section 10(c); deleting Section 10(a) in its entirety; and by substituting instead the following language:

(a)

(1) At any time that the TNInvestco makes distributions, other than qualified distributions or distributions representing repayments of capital contributions, to its equity investors, the qualified TNInvestco shall pay to the state the profit share percentage. Any such payments shall be deposited into the general fund until such time as the department of finance and administration certifies that the total amount of payments deposited in the general fund equals the total amount of revenue forgone pursuant to the credits used as provided in Section 4. Any payments made in excess of the amount of revenue forgone shall be deposited into the Rural Opportunity Fund to further support the state's economic development efforts.

(2) After the department of finance and administration has provided its certification pursuant to subdivision (a)(1), any additional state revenue generated and deposited into the general fund as a result of this chapter through

sales and use taxes, franchise and excise taxes, business taxes, or any other source of revenue shall be identified by the department of revenue. The amount of this additional revenue shall be certified by the department of revenue on an annual basis and an amount equivalent to the certified amount shall be transferred from the general fund to the Rural Opportunity Fund.

(b) Following the seventh anniversary of the fund, investment returns (profits and the portion of the base investment amount) may be distributed as liquidity permits, provided that no more than twenty-five percent (25%) of the TNInvestco's base amount may be distributed in any one (1) year until the end of the investment period at which time all of the fund's proceeds may be distributed as liquidity permits.